

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Spencer Moore and Timothy Timmons
as Personal Representative of the Estate
of Latisha Clement,

Plaintiffs,

vs.

Nationwide Insurance Company of
America and Christopher Moody,

Defendants.

Civil Action No. 4:11-cv-469-TLW

ORDER

This matter is now before the Court for consideration of Defendant Nationwide Insurance Company of America's motion to dismiss Plaintiffs' Complaint. (Doc. # 8). Plaintiffs filed a response to the motion to dismiss and a motion to remand to state court as to defendant Moody. (Doc. # 10). In the response, Plaintiffs consent to the dismissal of Nationwide as a defendant. Accordingly, Nationwide's motion to dismiss is **GRANTED**.

Defendant Moody has not filed a response to Plaintiffs' motion to remand. This Court finds that with the dismissal of Defendant Nationwide, it lacks subject matter jurisdiction over this case. Accordingly, Plaintiffs motion to remand is **GRANTED**. (Doc. # 10). This case is hereby **REMANDED** to the Circuit Court for Marion County.

IT IS SO ORDERED.

s/Terry L. Wooten
TERRY L. WOOTEN
United States District Judge

July 6, 2011
Florence, South Carolina